



U.S. Department of Justice

*United States Attorney
Southern District of New York*

*One Saint Andrew's Plaza
New York, NY 10007*

December 29, 2022

BY ECF

The Honorable Alvin K. Hellerstein
United States District Judge
Southern District of New York
500 Pearl Street
New York, New York 10007

Sentencing is adjourned to February 6, 2023 at
11:00 a.m.

SO ORDERED.

/s/ Alvin Hellerstein
December 29, 2022

Re: *United States v. Hassan Simmons*, S1 21 Cr. 280 (AKH)

Dear Judge Hellerstein:

The Government writes, with the consent of defense counsel, to respectfully request a 30-day adjournment of the defendant's sentencing hearing, which is currently scheduled for January 4, 2023. The reason for this request is to afford time for the Government to obtain a copy of the plea transcript from the defendant's prior state convictions under N.Y. Penal Law § 220.34, in order to determine, if feasible, the specific subsection under which the defendant was convicted. As noted in the defendant's sentencing submission, the certificates of disposition for these prior convictions do not specify the relevant subsection, and the subsection may be relevant to determining whether or not the defendant is a career offender, as determined by Probation in the Presentence Investigation Report. The parties are available in early February 2023 for sentencing.

Respectfully submitted,

DAMIAN WILLIAMS
United States Attorney for the
Southern District of New York

By: /s/
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cc: Dawn Cardi, Esq. (by ECF)